S. HRG. 99-158

NOMINATION OF PATTI BIRGE TYSON

HEARING

BEFORE THE

COMMITTEE ON GOVERNMENTAL AFFAIRS UNITED STATES SENATE

NINETY-NINTH CONGRESS

FIRST SESSION

ON

NOMINATION OF

PATTI BIRGE TYSON TO BE A COMMISSIONER OF THE U.S. POSTAL RATE COMMISSION

JULY 16, 1985

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NOMINATION OF PATTI BIRGE TYSON

TUESDAY, JULY 16, 1985

U.S. SENATE,
COMMITTEE ON GOVERNMENTAL AFFAIRS,
Washington, DC.

The committee met at 10:03 a.m., in room SD-342, Dirksen Senate Office Building, Hon. William V. Roth, Jr. (chairman of the committee) presiding.

Present: Senator Roth.

OPENING STATEMENT OF CHAIRMAN ROTH

Chairman ROTH. The committee will please be in order.

Today we are very pleased to be holding a hearing to consider the nomination of Patti Birge Tyson to be a commissioner of the U.S. Postal Rate Commission. I know that one or both of her Senators will be here in order to introduce her, but I think we will proceed and then interrupt whenever they are able to be present.

As you well know, our country depends heavily on the smooth and efficient functioning of the Postal Service for important operations in business and government, as well as the equally important communications between friends and families across the land. Given today's rapid technological advancements, it often has become difficult to maintain top quality services at a reasonable cost to the consumer.

The Postal Rate Commission plays an important role in attempting to balance services and cost in the postal system through its review of postal rates, the mail classification schedule and overall nationwide postal operations. In order to ensure that Americans continue to receive the best quality service for their postal dollars, these decisions must be made by individuals who are particularly dedicated and able.

Ms. Tyson, would you like to come forward? I want to welcome you to the committee and thank you for the cooperation with both the members of the committee and the staff.

Committee rules require that the committee conduct an inquiry into a nominee's experience, qualifications, suitability and integrity to serve in the position for which he or she has been nominated. I will take the time to very briefly recount for the record the steps the committee has taken on this very important nomination prior to our hearing today.

First, the nominee has been asked for and supplied financial statements and detailed information on education, employment, and professional achievements. She has also responded in writing to a number of prehearing questions. Copies of the biographical in-

formation and the prehearing questions and responses will be placed in the record as a part of this hearing and are available upon request.

[The information referred to follows:]

A. BIOGRAPHICAL INFORMATION

1. Name: Include any former names used.
   Patti Birge Tyson
   (Patti Amanda Birge)

2. Position to which nominated:
   Commissioner
   Postal Rate Commission

3. Date of nomination:
   April 30, 1985

4. Address: List current place of residence and office addresses.
   Current: Apartment 604
   2129 Florida Avenue, N.W.
   Washington, D. C. 20008

   Legal domicile: 1317 North Hopson Street
   Sherman, Texas 75090

   Office: Office of the Secretary
   Department of Health and Human Services
   Room 605-F Hubert H. Humphrey Building
   200 Independence Avenue, S.W.
   Washington, D.C. 20201

5. Date and place of birth:
   October 3, 1939
   Sherman, Texas

6. Marital status: Include maiden name of wife or husband's name.
   Divorced
   Former Husband: William Skirvin Tyson

7. Names and ages of children:
   None

8. Education: List secondary and higher education institutions, dates attended, degree received and date degree granted.

Sherman High School Sherman, Texas	1951-1959	High School Diploma
Sweet Briar College Sweet Briar, Virginia	1957-1958	
Univ. of Colorado Boulder, Colorado	summer, 1958	
Univ. de Geneve Geneva, Switzerland	spring, 1960	

Univ. of Texas Austin, Texas	1958-1961	B. A. degree, 1961
Austin College Austin, Texas	summer, 1961	
Univ. de Poitiers Poitiers, France	1961-1962	
Rutherford-Metropolitan Business College Dallas, Texas	1963-1964	
Dallas College, SMU Dallas, Texas	1963-1964	
American Univ. Law School Washington, D.C.	summer, 1973	
Natl. Law Ctr, George Washington University Washington, D.C.	1972-1976	J.D. degree, 1976

9. Employment record: List all jobs held since college, including the title or description of job, name of employer, location of work, and dates of employment.

Exec. Asst. to Secy	Dept. of Health and Human Services Room 605-F HHH Building 200 Independence Avenue, S.W. Washington, D.C. 20201	April 1983 - Present
Research Assoc., then Sub-committee Counsel	House Committee on Rules U.S. House of Representatives Washington, D.C. 20515	March 1977 - April 1983
Admin. Asst., Congressional	Representative Gillis Long (deceased) U.S. House of Representatives Washington, D.C. 20515	April 1975- March 1977
Asst. to the Div. Director	Division of Peer Review Bureau of Quality Assurance, Health Services Administration Public Health Service, Department of Health, Education and Welfare, Rockville, Maryland	Jan. 1974- April 1975

Study	Law student at G.W. University and American University Law Schools. Obtained a real estate agent's license with Graham Shanks Associates, 1721 DeSales St., N.W., Washington, D.C. 20036, but never was active.	Sept. 1972-Jan. 1974
Exec. Asst., Congressional Staff	Representative Margaret M. Heckler U.S. House of Representatives, Washington, D.C. 20515	Jan. 1969-Jan. 1973
Writing and editing (staff of Vice Chairman)	Equal Employment Opportunities 2401 E Street, N.W., Washington, D.C. 20506	Nov. 1968-Dec. 1968
Congressional Staff	Representative Margaret M. Heckler U.S. House of Representatives Washington, D.C. 20515	Month of Oct. 1968
Congressional Staff	Representative Joe Pool (deceased) U.S. House of Representatives Washington, D.C. 20515	Dec. 1964-Sept. 1968
Secretarial	Frank E. Rigney, President, Anderson's Furniture Studio 2222 North Harwood Dallas, Texas	Nov. 1962-Nov. 1964
Reception-ist	Anderson Clayton Company Sherman, Texas	June 1961-Sept. 1961

10. Government experience: List any advisory, consultative, honorary or other part-time service or positions with Federal, State, or local governments, other than those listed above.

None other than listed in response to question #9.

11. Business relationships: List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business enterprise, educational or other institution.

Currently I have the following business relationships:

Corner Partnership — limited partner
3081 Teddy Drive
Baton Rouge, Louisiana

Quarter Partnership limited partner
3081 Teddy Drive
Baton Rouge, Louisiana

Washington Fringe partner and past vice chairman
Benefit Investment Club
650 Independence Avenue, Southwest
Washington, D. C. 20003

12. Memberships: List all memberships and offices held in professional, fraternal, scholarly, civic, business, charitable and other organizations.

Currently I hold the following memberships:

Texas State Bar Association
c/o Supreme Court of Texas
Austin, Texas

District of Columbia Bar Association
1426 H Street, N.W.
Washington, D.C.

Texas State Society -- President
Box 602, Ben Franklin Station
Washington, D.C. 20044

National Women's Economic Alliance -- Member of Advi-
605 - 14th Street, N.W., Suite 900 sory Executive
Washington, D.C. 20005 Committee

Texas Breakfast Club
c/o Congressman Ralph Hall
1224 Longworth House Office Building
Washington, D.C. 20515

Farnsboro Condominium Association
2129 Florida Avenue, N.W.
Washington, D.C. 20008

Smithsonian Residents Association
Washington, D.C.

Dupont Circle Association
Washington, D.C.

Alliance Francaise
2124 Wyoming Avenue, N.W.
Washington, D.C. 20008

Meridian House International
1630 Crescent Place, N.W.
Washington, D.C.

The Ex Students Association
University of Texas
Austin, Texas

Kappa Kappa Gamma
Monmouth, Illinois

Daughters of the American Revolution
Sherman, Texas

I also hold membership in a number of associations by virtue of contributions supporting cultural organizations (museums, music groups, etc.)

13. Political affiliations and activities:
(a) List all offices with a political party which you have held or any public office for which you have been a candidate.

None

(b) List all memberships and offices held in and services rendered to all political parties or election committees during the last 10 years.

I am a member of the Democratic Party. I have never held office in a political party or on any election committee. While working in the Congress from 1975 to 1983, I from time to time participated on a volunteer basis in some political activities. Since I assumed my position at the Department of Health and Human Services in 1983, I have been covered by the Hatch Act.

(c) Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of $50 or more for the past 10 years.

Over the past ten years, I have occasionally made minimal contributions to the Democratic National Committee and adjunct organizations. I have also made a few small contributions to candidates for state and local office. Since I have been a Federal employee during that period, I have never contributed money to candidates for Federal office that I can recall.

14. Honors and Awards: List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals and any other special recognitions for outstanding service or achievements.

Various high school and college service and academic awards. None of current relevance.

15. Published writings: List the titles, publishers, and dates of books, articles, reports, or other published materials which you have written.

"Escape to the Yucatan Peninsula of Mexico," The Professional Woman Magazine, August 1978.

"President's Letter," Lone Star Link , publication of Texas State Society, 1985.

I have no record of other attributed published writings.

16. Speeches: Provide the Committee with two copies of any formal speeches you have delivered during the last 5 years which you have copies of and are on topics relevant to the position for which you have been nominated.

None relevant to the Postal Rate Commission.

17. Selection:
(a) Do you know why you were chosen for this nomination by the President?

I believe that I was chosen for this nomination because my qualifications and interest were called to the attention of the Office of Presidential Personnel by Members of Congress and other friends.

(b) What do you believe in your background or employment experience affirmatively qualifies you for this particular appointment?

My years in public policy analysis and development and my training as a lawyer are my basic qualifications for appointment as Commissioner. In my more recent experience in the Executive Branch, my qualifications have been enhanced, in particular, by responsibilities for review of the budget of the Department of Health and Human Services and development of reimbursement policy (rate setting) for the Medicare program.

B. FUTURE EMPLOYMENT RELATIONSHIPS

1. Will you sever all connections with your present employers, business firms, business associations or business organizations if you are confirmed by the Senate?

Yes

2. Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.

No

3. Do you have any plans, commitments or agreements after completing government service to resume employment, affiliation or practice with your previous employer, business firm, association or organization?

No

4. Has anybody made a commitment to employ your services in any capacity after you leave government service?

No

5. If confirmed, do you expect to serve out your full term or until the next Presidential election, whichever is applicable?

If confirmed, I intend to serve out the full term to which I have been nominated.

C. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients or customers.

None

2. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

None of which I am aware.

3. Describe any business relationship, dealing or financial transaction which you have had during the last 10 years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in in a possible conflict of interest in the position to which you have been nominated.

None

4. Describe any activity during the past 10 years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.

During the past ten years, I have been employed as Congressional staff and as a political appointee in the Executive Branch. In those capacities, on the direction of my superiors, I have prepared for their use materials intended to influence legislation and policy.

5. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items. (Please provide a copy of any trust or other agreements.)

I will seek advice of counsel and swiftly act to disassociate myself of any interest deemed to be in conflict.

6. Do you agree to have written opinions provided to the Committee by the General Counsel of the agency to which you are nominated and by the Attorney General's office concerning potential conflicts of interest or any other legal barriers to your serving in this positon?

Yes

D. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics for unprofessional conduct by, or been the subject of a complaint to any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, provide details.

No

2. Have you ever been investigated, arrested, charged or held by any Federal, State, or other law enforcement authority for violation of any Federal, State, county or municipal law, regulation or ordinance, other than a minor traffic offense? If so, provide details.

No

3. Have you or any business of which you are or were an officer ever been involved as a party in interest in any administrative agency proceeding or civil litigation? If so, provide details.

No

4. Have you ever been convicted (including pleas of guilty or nolo contendere) of any criminal violaton other than a minor traffic offense?

No

5. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be considered in connection with your nomination.

There is no additional relevant information that comes to mind which I believe would be of interest to the Committee.

PRE-HEARING QUESTIONS FOR PATTI BIRGE TYSON

I. NOMINATION PROCESS AND POTENTIAL CONFLICTS

Question 1

Were any conditions, expressed or implied, attached to your nomination to be a Commissioner of the Postal Rate Commission?

No.

Question 2

Have you made any specific commitments with respect to the basic policies and philosophy which you will follow while a Commissioner of the Postal Rate Commission? If so, please describe these commitments.

No.

Question 3

To your knowledge, did persons representing interests subject to Postal Rate Commission regulation actively support or endorse your appointment? If so, please provide details of those activities.

Many friends wrote letters of recommendation to the President on my behalf, but I do not believe that any individual or group supported my nomination through an active "campaign."

Question 4

Is there any issue currently under consideration by the Postal Rate Commission, or any which may come under consideration, from which you may have to disqualify yourself? If so, please explain.

No, not to my knowledge.

Question 5

Do you have any interest in any corporation, partnership, association or other entity which is a significant user of the mails or whose interest may be affected significantly by the levels of postage rates or degree of postal service?

No.

Question 6

Since your nomination, how have you been preparing yourself for a position as a Commissioner of the Postal Rate Commission?

Since my nomination on April 20, I have continued in my present job. I have, however, read documents and other materials concerning the activities of the Postal Rate Commission, and I have conferred with staff of the Commission as time has permitted.

II. ROLE AND RESPONSIBILITIES OF THE POSITION TO WHICH NOMINATED

Question 1

What do you believe are the most important responsibilities of the position to which you are nominated and what challenges do you expect to face?

The statutory responsibilities of the Postal Rate Commission are to make recommendations on postage rates, fees, and mail classifications to the Governors of the U.S. Postal Service. The Commission may also issue advisory opinions on proposed nationwide changes in postal services and consider complaints from the public on a range of matters, including the closing and consolidation of small post offices.

The greatest challenge that I foresee in serving as a Commissioner is in crafting a fair and equitable rate structure for all classes of mail through balancing of competing interests to discern the true public interest.

Question 2

What contribution do you feel that you can make to the Postal Service as a Commissioner of the Postal Rate Commission?

I have lengthy experience in both the legislative and Executive branches of government in analyzing complex legal, regulatory, and budget issues. In the past two years, my responsibilities have included the rulemaking, budget, and ratesetting activities of the largest department of the Federal government. My education as a lawyer has trained me to be objective in assessing all aspects of public policy issues.

Question 3

What organizational changes, if any, do you believe should be implemented by the Postal Rate Commission?

It is my understanding that the organization of the Postal Rate Commission has recently been under review, and the Commission has just acted on a streamlined organizational plan, which appears to be an improvement. I would not want to make any particular suggestions without the benefit of first-hand experience.

Question 4

What improvements do you believe can be made in the operation of the Postal Rate Commission?

I am sure the new organizational plan just adopted by the Commission is intended to improve operations. My lack of direct knowledge of Commission operations precludes my making any specific suggestions at this time.

Question 5

Do you see any way that the Postal Rate Commission could make decisions on policy matters in a more expeditious manner?

In the last major rate case, the Commission met the Congressionally imposed deadline. If I am confirmed, I shall certainly work with my colleagues to expedite our deliberations.

III. ROLE OF THE POSTAL RATE COMMISSION

Question 1

The Postal Rate Commission is an independent agency. What do you see as the proper relationship between such an agency and the President and the Congress?

Maintaining the proper balance in these relationships is fundamental to the system of checks and balances implicit in our government. I believe that each governmental entity has a public-information responsibility to provide open communications with the public and with other entities of government. The Commission should cooperate completely with the Executive in its needs for information and with the Congress in the performance of its budget and oversight functions.

These relationships should be maintained in an ongoing way, but should not impinge on the quasi-judicial function of the Commission.

Question 2

How do you envision the role and functions of the Postal Rate Commission, its responsibilities to the public, and its relationship to the Postal Service?

As an independent agency, the Postal Rate Commission must make recommendations based on a comprehensive and unbiased hearing record. It must assure that all interests have an opportunity to present evidence and to be heard. This responsibility extends not only to rate and classification matters, but also to post office closings when challenged and changes in nationwide service. The necessary links between the Commission and the Postal Service must not impair the capability of the Commission to render fair, impartial decisions which both assure the viability and future success of the Postal Service and maintain the public interest.

Question 3

Do you believe that the Postal Rate Commission should be funded directly through congressional appropriation? If so, why? To what extent do you believe the current method of funding impairs the independence of the Postal Rate Commission?

In the years of the current arrangement whereby the Governors fund the Commission, the relationship does not seem to have undermined the independence of the Commission.

Question 4

Do you believe that the Postal Rate Commission should have final decisionmaking authority over rates and mail classification matters? What effect would such authority have on the Postal Rate Commission and the Board of Governors of the Postal Service?

The organization of postal governance would be simplified if the Postal Rate Commission had final authority over rates and mail classification. Insofar as I am aware, however, the current system established by Congress is working reasonably well. I would like to reserve judgment on these questions until I have more specific knowledge and experience.

Question 5

What shortcomings do you see either in the law establishing the Postal Rate Commission or in the record of the Commission? How do you expect to address these problems?

Currently I have no actual operating experience with the law establishing the Commission nor with the record of the Commission, and thus do not feel adequately prepared to identify significant shortcomings. If I should later feel there are serious shortcomings, I would make suggestions for improvements.

Question 6

How do you believe the public interest in maintaining current postal levels should be balanced with the costs of continuing these services?

The public interest is best served by a viable, self-sustaining postal service with a well-balanced, equitable rate and classification structure. In the interest of fairness, rates for each service should cover costs of that service. No service should be priced below its cost. The service levels should reflect what the public is willing to pay.

Question 7

How do you view the relationship of the Postal Rate Commission to the Board of Governors?

The Postal Rate Commission and the Board of Governors are coequal but independent agents in the ratemaking process. The relationship between the two reflects Congressional concern for a system of checks and balances in the ratemaking process. A close communication and good understanding between the two bodies will facilitate decisionmaking. The relationship should not be adversarial, but the rates recommended should be objectively developed and fully substantiated.

Question 8

Do you see the Postal Rate Commission as primarily a regulatory body or as an advisory body?

I view the role of the Postal Rate Commission as both advisory and regulatory. Requested changes in rates and classifications by the U.S. Postal Service, which is a monopoly in certain respects, must be submitted to the Postal Rate Commission for action. Although the Commission's determinations are not absolute, the Commission is the neutral, quasi-judicial decisionmaker and has a duty to assure that the public interest is represented in the ratemaking process. Thus the function of the Commission goes beyond the advisory.

Question 9

Should the Postal Rate Commission have any part in management issues of the Postal Service?

The Commission's responsibilities are set forth in statute and do not extend to management issues per se.

IV. POSTAL SERVICE OPERATIONS

Question 1

Do you question the need for any service currently provided by the Postal Service? If so, please explain.

At this time, I do not have the expertise to question the need for any service currently provided by the Postal Service, but this is a matter deserving of constant evaluation.

Question 2

Do you believe that the goal of the self-sustaining Postal Service is realistic? Please explain.

I believe the goal of the self-sustaining Postal Service is both realistic and attainable. Congress has clearly expressed the intent that rates must be sufficient to provide revenues covering all estimated costs of operation and financing. Much progress toward this goal has been made. The Postal Service has required no general public service appropriation for several years, and I would expect this progress to continue.

Question 3

Do you believe that Congress should have an increased role in decisions involving postal rates and services?

I am, in general, an advocate of a strong and vigorous oversight role by Congress. The Congress has wisely acted to place the Postal Service on a business-like footing to improve its operations and has delegated the specifics of rate setting to the Postal Rate Commission and the Governors. The oversight role of Congress includes the authority to scrutinize any aspect of rate policy and operations.

Question 4

If substantial reductions in the appropriation to the Postal Service are approved, where would you look to achieve savings in postal operations? Do you favor proposals to reduce the number of days of mail delivery to five? Would you favor the closing of more small post offices? Do you favor cross-subsidization?

As I understand it, these are the most complex questions anticipated by the postal community. Any curtailment in postal service and any rate change have far-reaching ramifications which should be fully and objectively examined. I come from an area where these services are very important to much of

the community. I would therefore want to make no recommendations without comprehensive background information and complete analysis. Cross-subsidization as a substitute for Congressional appropriation is a policy issue for Congress and the Administration to decide. If this policy is adopted by Congress, it will be up to the Postal Rate Commission to devise a fair and effective rate schedule to implement that policy.

V. POSTAL REORGANIZATION

Question 1

How do you view the Postal Reorganization Act today?

The Postal Reorganization Act has set the course for a self-sustaining postal service. The Act has established a framework for future growth and development by the Postal Service, permitting more rapid responses to requirements for change. Under the Act, postal management is now free of undue restrictions on the authority to manage in a business-like manner. As with any organic statute, the Postal Reorganization Act should be adapted as necessary to changing times, but the basic framework seems to form a sound foundation for the Postal Service successfully to meet public needs in the foreseeable future.

Question 2

What do you see as the strengths and weaknesses of the Postal Service as opposed to the old Post Office Department?

I believe the Postal Service is, in general, an improvement over the old Post Office Department. Carrying the mail is a business operation with an important effect on the public and the economy. The Postal Reorganization Act and amendments establish a structure which is better equipped to serve a society experiencing profound technological change than was the old Post Office Department.

Question 3

The Postal Rate Commission is a unique regulatory agency in that it does not have final decision-making responsibility with respect to most matters brought before it. This rests with the Board of Governors of the Postal Service. Do you believe that this arrangement should be maintained? If so, why?

To vest final authority for rulemaking in the Commission would be consistent with other government regulatory models. The current arrangement, whereby the Governors have the opportunity to take final action, seems to be working adequately, although it carries risk of delay.

Question 4

If Congress were to reexamine the role and responsibilities of the Postal Rate Commission, what changes would you recommend?

As a nominee for appointment to the Commission, I do not believe I have the knowledge or experience to make any specific recommendations for changes in the role and responsibilities of the Postal Rate Commission at this time.

VI. RELATIONS WITH CONGRESS

Question 1

Do you agree without reservation to appear and testify before any duly authorized committee of the Congress?

Yes.

Question 2

What do you believe is the appropriate role of Congress in reviewing major changes in the service proposed by the Postal Service?

I believe that Congress should review in the course of the Committee process any major changes in service proposed by the Postal Service.

Question 3

What suggestions do you have for strengthening the relationship of the Postal Rate Commission to the Congress, or do you believe that is not necessary?

I believe it is necessary and appropriate for the Congress and the Commission to have open and active lines of communication. Bearing in mind always the Congressional role as policy maker and the Commission's independent decisionmaking responsibilities, I would work to maintain a strong relationship between the Commission and Congress if I am confirmed.

Chairman ROTH. Financial statements are available for inspection by the public in the committee office.

The committee reviewed the nominee's biographical and financial information as well as the report submitted on the nominee by the Office of Government Ethics. The general counsel of the Postal Rate Commission also submitted an opinion which was reviewed by our committee staff.

Following that, acting as chairman of the committee, I reviewed the FBI report prepared on the nominee. The FBI report was also reviewed by the ranking minority member, Senator Eagleton.

We are delighted to have you here, Senator Gramm. I know you are anxious to introduce your constituent. Please proceed.

TESTIMONY OF HON. PHIL GRAMM, U.S. SENATOR FROM THE STATE OF TEXAS

Senator GRAMM. Mr. Chairman, let me say I am sure Senator Bentsen is being detained somewhere else. He is a strong supporter, as I am, of Patti Tyson. She has had extensive experience on the Hill, having worked for the Rules Committee in the House. She has also worked for HHS Secretary Margaret Heckler who feels so strongly about this appointment that she personally called me this morning to remind me to be here at 10 o'clock. [Laughter.]

I know Patti and, like everyone who has worked with her, can testify to her competence, ability, and integrity. The people in her hometown of Sherman feel very strongly about her. Although she will be a Democratic appointee, I can assure you she has strong bipartisan support.

I know that my senior colleague, Senator Bentsen, strongly supports this appointment, and I am happy to be here today to introduce Patti Tyson to you and to let you know I strongly support her nomination.

Chairman ROTH. Thank you, Senator Gramm. As you have indicated, Senator Bentsen did want to be here, but unfortunately cannot be because of a meeting in the Finance Committee. He has submitted a statement strongly supporting you, Ms. Tyson.

[Senator Bentsen's prepared statement follows:]

PREPARED STATEMENT OF SENATOR BENTSEN

Mr. Chairman, I am pleased to support the nomination of Patti Birge Tyson of Sherman, TX, to be a commissioner on the Postal Rate Commission. She has wide-ranging experience and demonstrated leadership skills which should enable her to be an excellent commissioner.

Mrs. Tyson graduated from high school in Sherman, TX, and obtained her B.A. degree from the University of Texas. After several year's work in Washington, she showed her uncommon drive and determination by returning to law school. In 1976 she received a J.D. degree from the National Law Center at George Washington University.

Patti Birge Tyson has had extensive experience on congressional staffs—first with the late Joe Pool of Texas, then with Margaret Heckler of Massachusetts, and then with the late Gillis Long of Louisiana. She also served as a Subcommittee Counsel on the House Rules Committee. In these capacities, she learned and practiced sensitivity to the concerns of individual American citizens—a skill most useful for members of the Postal Rate Commission.

She supplemented her congressional experience with executive branch service, most recently as Executive Assistant to the Secretary of Health and Human Services. In this capacity she has had responsibilities for budget review and for the de-

velopment of reimbursement policy—that is, rate setting—for the Medicare Program.

Mrs. Tyson would thus bring to the Postal Rate Commission her legal training and skills, her understanding of complex rate setting issues, and her expertise in the process of government. Since the Commission has appellate jurisdiction to review Postal Service determinations to close or consolidate small post offices, I hope that she would bring a special sensitivity, honed by her Texas background and congressional service, to the needs of rural areas for first-class postal service.

For these many reasons, I commend Patti Birge Tyson to you and urge prompt and favorable action on her nomination.

Chairman ROTH. Senator Gramm, I know you have other matters of business to attend to, and appreciate your taking the time to introduce Ms. Tyson.

Ms. Tyson, as you know, the rules of the committee are that you have to be sworn in. Would you please stand and raise your right hand?

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Ms. TYSON. I do.

TESTIMONY OF PATTI BIRGE TYSON, NOMINEE TO BE A COMMISSIONER FOR THE U.S. POSTAL RATE COMMISSION

Chairman ROTH. Thank you. Please be seated. Ms. Tyson, do you have a prepared statement or any informal remarks you would like to make at this time?

Ms. TYSON. Mr. Chairman, I have no prepared statement as such, but I would like to take this opportunity to thank the President for this nomination. The Postal Rate Commission is chaired by a person of great distinction and capability, Janet D. Steiger, and actively served by three very able commissioners. I would be honored to serve with them. I also would like to thank you, your committee and staff for the expeditious handling of this nomination. I hope I can respond fully to your questions.

Chairman ROTH. Thank you. Let me also welcome the members of the Commission that are here today. We appreciate your interest in taking the time to do so.

As I have indicated, members of this committee have already asked some substantive prehearing questions, and your responses have been placed in the record. I will not repeat those questions, although I have a few additional ones.

Is there anything you are aware of in your background which might present a conflict of interest with the duties of the office to which you have been nominated?

Ms. TYSON. No.

Chairman ROTH. Do you know of any reason, personal or otherwise, that would in any way prevent you from fully and honorably discharging the responsibilities of the office to which you have been nominated?

Ms. TYSON. I do not.

Chairman ROTH. If you are confirmed, do you agree, without reservation to appear and testify before any duly constituted committee of the Congress?

Ms. TYSON. I do.

Chairman ROTH. Why do you feel you are qualified to be a commissioner of the Postal Rate Commission, and what contribution do you think you can make to the Commission?

Ms. TYSON. Mr. Chairman, I have many years of experience as an advisor on public policy issues in the Congress and as a student of congressional oversight.

In the executive branch for the past 2 years, I have very intensive experience in the review of a budget which is over $300 billion and in a complete revision of the reimbursement system and rate structure for the Medicare Program. In effect, my responsibilities at the Department of Health and Human Services have included all aspects of rate setting and rulemaking in that department.

My education as a lawyer has trained me to be an objective analyst of public problems, and I believe that I can make a very constructive contribution to the Commission in its quasijudicial deliberations by being an independent and neutral decisionmaker.

Chairman ROTH. I agree with your comments. I think you are bringing a wealth of experience and background which should serve you well in your new responsibilities. I have no further questions. I do want to thank you for appearing before our committee today. The committee will be taking action on this nomination very expeditiously. Thank you very much.

Ms. TYSON. Thank you.

Chairman ROTH. The committee is in recess.

[Whereupon, at 10:12 a.m., the committee adjourned, subject to the call of the Chair.]

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